JONES DAY

51 LOUISIANA AVENUE, N.W. • WASHINGTON, D.C. 20001.2113

TELEPHONE: +1.202.879.3939 • FACSIMILE: +1.202.626.1700

DIRECT NUMBER: (202) 879-3630
BOLCOTT@JONESDAY.COM

October 10, 2019

BY ELECTRONIC DELIVERY

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington D.C. 20554

Re: Permitted Oral *Ex Parte* Notice
Wireless E911 Location Accuracy Requirements
PS Docket No. 07-114

Dear Ms. Dortch:

On October 8, 2019, representatives of NextNav, LLC ("NextNav") participated in a meeting with the staff of the Public Safety and Homeland Security Bureau ("PSHSB"). Participating in the meeting on behalf of the Bureau were David Furth, Dr. Rasoul Safavian, John Evanoff, Nellie Foosaner, Ken Carlberg, and Erika Olsen. Also attending on behalf of the Commission was Eric Burger, FCC Chief Technology Officer. Participating in the meeting on behalf of NextNav were Gary Parsons, Chairman; Ganesh Pattabiraman, CEO and Co-Founder; Bruce Cox, Senior Director, Regulatory & Public Safety; and the undersigned.

A major point of discussion during the meeting was the manner in which the Commission should determine compliance with its vertical location requirements in terms of handset penetration. It was noted that AT&T has advocated for a requirement that the Commission adopt its proposed 3 meter metric and apply it to "80% of all wireless E911 calls made from z-axis capable devices."[1] The discussion included the definition of 'z-axis capable devices' and whether this could be defined as handsets manufactured after a certain date that include appropriate hardware components, such as a barometric pressure sensor or other capable component necessary to calculate altitude. The use of a manufactured cutoff date would exclude older handsets that may no longer be supported by their manufacturers and therefore may no longer be able to accept an over-the-air upgrade to install software that may be necessary to ensure highly accurate z-axis determination. Using this approach, carriers could satisfy the 80 percent call requirement using a mix of new z-axis capable handsets and older z-axis capable handsets that have been updated using an over-the-air software upgrade. Another approach might be to introduce a meaningful percentage

[1] *See* Comments of AT&T, PS Docket No. 07-114, at 3 (May 20, 2019) (*emphasis in the original*).

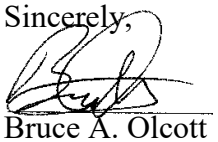
(such as 50 percent) of new devices that support the ability to determine altitude (along with some percentage of existing z-axis capable devices) by the current milestone and increasing beyond that subsequently.

The meeting participants also discussed the proposed 3 meter metric. Although NextNav supports the 3 meter metric, NextNav's technology is already capable of exceeding this requirement having demonstrated 1.8 meter accuracy for 80 percent of calls in an industry led testbed[2] and NextNav continues to improve its technology.[3]

The NextNav representatives also discussed the manner in which the z-axis information resulting from NextNav's technology is transported from the handset to the PSAP. The parties additionally discussed the measures that have been employed by NextNav to ensure the privacy and security of subscribers with respect to the calibration of the barometric pressure sensor and the sufficiency of current rules on privacy and E911. Finally, the meeting participants discussed the option of permitting carriers to demonstrate compliance by deploying z-axis capabilities in areas covering 80 percent of buildings in excess of three stories as opposed to areas covering 80 percent of the population in the largest cellular market areas.

Please contact the undersigned if you have any questions about this matter.

Sincerely,



Bruce A. Olcott

[2] *See Report on Stage Z*, 911 Location Test Bed, LLC PS Docket 07-114, at 120 (Aug. 3, 2018).

[3] *See, e.g.,* Letter from Brandon W. Allen, Manager, Government Relations, International Association of Fire Chiefs, to Ms. Marlene H. Dortch, Secretary, Federal Communications Commission, PS Docket 07-114, *et al.*, at 1 (Sept. 24, 2019) (explaining that "given the ongoing advancement of location accuracy solutions, the FCC might consider narrowing the z-axis metric in five years' time and narrow the x/y metric").